



Administrative Policies and Procedures: 27.32

Subject: Investigation of Injury Resulting From Use of Physical Intervention

Supersedes: DCS 27.32, 01/01/04

Local Policy: No

Local Procedures: No

Training Required: No

Applicable Practice Model Standard(s): Yes

Approved by:

Effective date: 05/01/98

Revision date: 07/01/05

Application

To All Department of Children's Services Employees

Authority: TCA 37-5-106; 39-11-611

Policy

The use of force/physical intervention is limited to instances of justifiable self-defense, protection of youth from others, protection of property, prevention of escapes and in situations where a youth's behavior is out of control. Use of force/physical intervention shall be used only as a last resort. Physical intervention is not allowable punishment. Youth Development Center (YDC) Superintendents, DCS Group Home Directors, and Regional Administrators shall ensure that all incidents involving injury to staff or youth as a result of the use of force/physical intervention are properly documented in an incident report.

Procedures

A. Notification

1. Whenever a child/youth in DCS custody or employee is injured as a result of the use of physical intervention, employees shall immediately notify the appropriate YDC Superintendent, DCS Group Home Supervisor, Regional Administrator or designees or other appropriate personnel as appropriate.
2. Incident reports shall be completed according to DCS policy [1.4, Incident Reporting](#) and the [Incident Reporting Manual](#).

- B. Medical treatment**
1. Children/youth and employees in YDCs who have been involved in a physical intervention situation, YDC health care employees shall promptly evaluate and provide medical treatment as necessary. The YDC's contingency plan shall be followed as appropriate.
 2. Children/youth and employees or persons in DCS Group Homes, Regional Offices other DCS offices/facilities or other non-DCS offices/ facilities involved in a physical intervention situation resulting in injuries must receive immediate medical treatment as necessary and appropriate by contacting emergency medical services for assistance.
 3. The YDC Superintendent, DCS Group Home Director or Regional Administrator/designees may also, at their discretion, request an investigation of injuries resulting from physical restraint that do not require off-site medical attention.
 4. All YDC's and Group Homes shall document all incidences of injuries resulting from the use of physical intervention in the *Critical Incident Reporting Web Application* or on form CS-0166, *Accident/Incident/Traumatic Injury Report* in the event the Web Application is inoperable.
- C. Investigation**
1. The YDC Superintendent, DCS Group Home Director or Regional Administrator or designees shall request an Internal Affairs investigation into the circumstances of the injury in accordance with DCS policy [1.16, Internal Affairs Investigations](#).
 2. Following the investigative response categories established by the Director of Internal Affairs, the internal affairs investigator shall initiate a thorough investigation and report the findings to the YDC Superintendent, DCS Group Home Director, Regional Administrator or designees and Director of Internal Affairs.
 3. The internal affairs investigator shall report all child abuse or excessive use of force immediately to the appropriate DCS Child Protective Services office or via the Central Intake [24-Hour Number at 1-877-237-0004](#), in accordance with DCS policy [14.2, Child Protective Services Intake Decisions](#).

**D. Review and
response**

**1. Review by Superintendents, DCS Group Home Director
and Regional Administrators**

The YDC Superintendent, DCS Group Home Director, Regional Administrator or designees shall review the report and take appropriate action.

2. Review by Executive Director

- a) The results of the investigation of any substantiated incident and other pertinent information must be summarized and then forwarded to the appropriate Executive Director or designee within five days (5), excluding weekends and holidays, after the Superintendent, DCS Group Home Director, Regional Administrator or designees has received the report.
- b) Safeguards to protect the confidentiality of the internal affairs report shall be followed as outlined in DCS Policy [1.16, Internal Affairs Investigations](#).

Forms

CS-0166 Accident/Incident/Traumatic Injury Report

Collateral Documents

Incident Reporting Manual

Standards

ACA 3-JTS-3A-29

ACA 3-JTS-3A-31

ACA 3-JCRF-3A-02

ACA 3-JTS-3D-06-1

DCS Practice Model Standard- 8-306

DCS Practice Model Standard- 11-308A

DCS Practice Model Standard- 11-309B

Glossary

<i>Term</i>	<i>Definition</i>
<i>Justifiable Self-defense:</i>	A person is justified in threatening or using force against another person when, and to the degree the person reasonably believes the force is immediately necessary to protect against the other's use or attempted use of unlawful force. The person must have a reasonable belief of imminent death or serious bodily injury must be real, or honestly believed to be real at the time, and must be founded upon reasonable grounds. –TCA 39-11-611